

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PAULA LISBOA, *individually and on behalf* :
of all others similarly situated, and CARLOS :
GONZALEZ CALDERON, :
Plaintiffs, : 14-CV-8115 (VSB)
: **ORDER**
-against- :
J SISTERS 57, INC., et al., :
Defendants. :
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VERNON S. BRODERICK, United States District Judge:

This order addresses several trial management items. Defendant Magaly Santos made three motions in limine. (Docs. 249, 252, 254.) I addressed these motions at the final pretrial hearing held on April 17, 2023. Juror selection took place on April 18, 2023. A copy of the voir dire form provided to jurors and listing the questions asked is appended to this Order. This version has minor typographical corrections.

The Clerk of Court is respectfully directed to close the motion at Doc. 249. The Clerk of Court is further respectfully directed to amend the case caption as to party “Magdaly Santos” to “Magaly Santos.”

SO ORDERED.

Dated: April 18, 2023
New York, New York


Vernon S. Broderick
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PAULA LISBOA, *individually and on behalf* :
of all others similarly situated, and CARLOS :
GONZALEZ CALDERON, :
: 14-CV-8115 (VSB)
Plaintiffs, :
: **VOIR DIRE FORM**
-against- :
: J SISTERS 57, INC., et al., :
: Defendants. :
:
----- X

VERNON S. BRODERICK, United States District Judge:

QUESTIONS FOR POTENTIAL JURORS

Please indicate if your answer to any of the following questions is "yes." If you would prefer not to give your answer in open court, please say so.

PART I:

1. Do you have any problems with your hearing or vision that would prevent you from giving attention to all the evidence at trial?
2. Do you have any medical problems, are you taking any medication, or do you suffer from any condition that might interfere with your service as a juror in this case or make it difficult for you to give the case your full attention?
3. Do you have any difficulty understanding or reading English?
4. Do you have any reservations about discussing your opinions with other people?
5. Do you have any reservations about sitting in judgment of others?

6. Do you have any personal knowledge of the claims in the case as I have described them to you?
7. Is there anything about the nature of the claims that would prevent you from deciding the issues in this case fairly and impartially?
8. Have you read or heard anything about this case from any source whatsoever prior to today that would prevent you from deciding the issues in this case fairly and impartially?
9. Do you know the attorney for the Plaintiff, the Law Office of Andrea Paparella, PLLC, and the attorney Andrea M. Paperella?
10. Do you know the attorney for the Defendant, Williams LLP, and the attorneys T. Edward Williams or Virginie Brizon?
11. There are two Plaintiffs in this case, Paula Lisboa and Carlos Gonzalez Calderon. Do you know either of the Plaintiffs?
12. There is one Defendant in this case: Magdaly Santos. Do you know the Defendant?
13. Do you know any of the following individuals or entities who may testify or be mentioned during this trial?
 - a. Jocely Padilha
 - b. Jonice Padilha
 - c. Sylvia Dantas
 - d. J Sisters 57 Inc. or J Sisters Salon
14. If you know any of the individuals or entities listed above, is there anything about your relationship that would prevent you from deciding the issues in this case fairly and impartially?

15. Do you know me, my Deputy Leyni Rodriguez, or my law clerk Sam Bieler? If so, would that prevent you from deciding the issues in this case fairly and impartially?

16. Some of the witnesses in this case will be testifying in Spanish with the use of an interpreter. Is there anything about the fact that certain of the witnesses will be testifying in Spanish that might prevent you from deciding the issues in this case fairly and impartially?

17. Have you ever been a party to a civil lawsuit, whether by having brought the lawsuit or by defending the lawsuit? If so,

- a. What was the nature of the case? Did it involve the Fair Labor Standards Act or the New York Labor Law?
- b. Were you the plaintiff or the defendant?
- c. Were you represented by a lawyer?
- d. Was there a trial before a judge or a jury? If so, did the jury reach a verdict?
- e. Is there anything about the fact that you have been involved in a civil lawsuit that would prevent you from deciding the issues in this case fairly and impartially?

18. Have any of your close friends or relatives ever been a party to a civil lawsuit, whether by having brought the lawsuit or by defending the lawsuit? If so,

- a. What were the circumstances? Did it involve the Fair Labor Standards Act or the New York Labor Law?
- b. Was your friend or relative the plaintiff or the defendant?
- c. Were they represented by a lawyer?
- d. Was the trial before a judge or a jury?
- e. Did the jury reach a verdict?
- f. Were you involved in the case in any way? If so, how were you involved in the case?

- g. Is there anything about the fact that you have had close friends or relatives who have been a party to a civil lawsuit that would prevent you from deciding the issues in this case fairly and impartially?
19. Have you or any member of your family been a witness in a litigation? If so,
- What was the nature of the litigation? Did it involve the Fair Labor Standards Act or the New York Labor Law?
 - Is there anything about that involvement that would prevent you from deciding the issues in this case fairly and impartially?
20. Have you ever served as a juror before? If so,
- Have you served on a criminal jury, a civil jury, or both?
 - When was the last time you served on a jury?
 - Did the jury reach a verdict?
 - Have you ever served as a jury foreperson? If so, was the case a civil or criminal case?
 - Is there anything about that experience that would prevent you from being fair and impartial in this case?
21. Have you ever served as a grand juror before? If so,
- Is there anything about that experience that would prevent you from being fair and impartial in this case?
22. Are you or is any member of your family an attorney? If so,
- In what area did you or your family member practice law?
 - Did you or your family member ever participate in a trial as trial counsel?
 - Is there anything about the fact that you or your family member is or was an attorney that would prevent you from deciding the issues in this case fairly and impartially?

23. Do you own or have you every owned your own company?
24. In your past or present employment, have you been responsible for making employment decisions with respect to the hiring, firing, budget cuts, layoffs, or work conditions of other employees? If so, in what capacity?
25. Have you, or has any relative or close friend, ever been deprived wages from your employer that you believed were owed to you? If so, please explain the circumstances.
26. Have you, or has any relative or close friend, ever filed any kind of complaint or grievance against an employer, including a charge with the New York State Department of Labor or the United States Department of Labor or any subdivision of either agency? If so, please explain the circumstances.
27. At the close of trial, I will instruct the jury on the law that must be applied to the facts in this case. Would you have any difficulty following my instructions if you disagree with the law?
28. Is there anything which has not been asked which you would want to tell us about and which may be a factor in your ability to be fair and impartial in this case?

PART II:

1. What is your full name?
2. Where do you live? How long have you lived there?
3. Are you employed? If so, what is your job?
4. If you have been employed in your current job for fewer than five years, what was your previous job?
5. Are there other adults in your household? If so, how are they employed?
6. If you are retired, what work did you do before retiring?
7. Please describe your educational background, including any training institutes, colleges, and graduate schools you attended.
8. Do you have children? How old are they? Are they in school? If they are employed, how are they employed?
9. Do you have any hobbies? If so, what are they?
10. What do you do on the weekends?
11. Are you a member of any groups or organizations? If so, which ones?
12. What types of books do you read?
13. What television shows do you watch?
14. Do you regularly read any newspapers or magazines, either in print or online? If so, which ones? If not, do you get the news from some other source? If so, what is that source?
15. Do you utilize social media? If so, what social media platforms do you regularly use?
16. Do you know any other people on this jury panel?